


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Davis et al.  
Serial No.: 09/146,072  
Filed: September 2, 1998  
For: NUCLEOTIDE VECTOR, COMPOSITION CONTAINING SUCH VECTOR  
AND VACCINE FOR IMMUNIZATION AGAINST HEPATITIS  
Examiner: D. Clark  
Art Unit: 1633

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the 1 day of ~~July~~<sup>August</sup>, 2000.



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ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

**STATEMENT OF DR. HEATHER DAVIS UNDER 37 CFR § 1.801-1.809**

I, Heather Davis, declare that nucleotide plasmid vectors pCMV/HBS, pRSV/HBS, pCMV/HB-S1.S2.S, pHBV-S1.S2.S, and pCMVHB-S2.S were deposited on October 21, 1993 with the Collection Nationale des Cultures des Micro-organismes de l'Institut Pasteur (CNCM) under accession nos. I-1370, I-1371, I-1411, I-1409, and I-1410 respectively. The CNCM is a depository affording permanence of the deposit and ready accessibility thereto by the public if a patent is granted. All restrictions on the availability to the public of the material so deposited will be irrevocably removed upon granting of a patent. The material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR § 1.14 and 35 USC § 122. The deposited material will be maintained with all the care necessary to keep it viable and uncontaminated for a period of at least five years after the

most recent request for the furnishing of a sample of the deposited vector, and in any case, for a period of at least thirty (30) years after the date of deposit or for the enforceable life of the patent, whichever period is longer. I acknowledge the duty of the applicants to replace the deposit, should the depository be unable to furnish a sample when requested due to the condition of the deposit.

I, Heather Davis, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this document and any patent which may arise from the above-identified patent application.

Date: July 18<sup>th</sup>, 2000

Heather L. Davis

Dr. Heather Davis